IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Regular Second Appeal No.4019 of 2007

Date of Decision: December 17, 2007

The State of Haryana and others .....Appellants

Versus

Nirmal Gupta .....Respondent

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Ashish Sharma, Deputy Advocate General, Haryana for the appellants.

S. D. ANAND, J.

1. The finding recorded by the learned Trial Court with regard to the entitlement of the plaintiff-respondents (who are legal representatives of the deceased employee) to interest @ 12% on delayed retiral benefits was upheld by the learned First Appellate Court. The item wise delay in the payment of various retiral benefits was noticed by both the Courts.

2. There is plethora of law on the point that retiral benefits do not represent a bounty. The employee, who gives best years of his life to the Department, earns the same in his own right. Instructions have come to be issued by the Government from time to time that papers for payment of various retiral benefits to an employee ought to be initiated quite some time in advance in order to enable the processing thereof within reasonable time. The object is to ensure payment of the retiral benefits to the employee without any delay whatsoever. Dereliction on the part of any one in the

chain of processing results in delayed retiral benefits, thereby entitling the employee to have the interest awarded in his favour at the hands of the Court.

3. No question of law, much less substantial in character, arises for determination in this case by this Court.

4. Dismissed.

(S. D. ANAND)
JUDGE

December 17, 2007
SRM

Note: Whether referred to reporter ? Yes/No